

ENTERED

November 08, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

REYNALDO CISNEROS,

Plaintiff,

VS.

ERIC WILLIAMS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:21-CV-106

ORDER

Plaintiff Reynaldo Cisneros filed this lawsuit in a Texas state court contesting the foreclosure sale of his home to Defendant Eric Williams after Cisneros defaulted on a loan provided by Defendant Franklin Credit Management Corporation (“FCMC”). (Orig. Pet., Doc. 1-1) FCMC removed the case to federal court (Notice of Removal, Doc. 1, ¶ 14), and Cisneros then moved to remand (Mtn. to Remand, Doc. 11).

A United States Magistrate Judge recommends that the Motion to Remand be dismissed. (R&R, Doc. 21) No objections were filed to the Report and Recommendation.¹ The Court finds no clear error in the Report and Recommendation.

As a result, the Court **ADOPTS** the Report and Recommendation (Doc. 21). It is:


ORDERED that Plaintiff Reynaldo Cisneros’s Motion to Remand (Doc. 11) is **DENIED**;

ORDERED that Plaintiff Reynaldo Cisneros’s claims against Defendant Eric Williams are **DISMISSED WITHOUT PREJUDICE**; and

¹ After the Magistrate Judge issued the Report and Recommendation, Cisneros filed a Motion for Leave to File an Amended Petition to state substantive claims against Williams. (Mtn. for Leave to File Am. Petition, Doc. 22) The Court denied that motion. (Order, Doc. 27) To the extent that Cisneros intended his motion for leave to file an amended pleading as an indirect objection to the Report and Recommendation, the objection is overruled.

ORDERED that Defendant Eric Williams's Motion to Dismiss (Doc. 18) is **DENIED** as moot.

Signed on November 8, 2021.


Fernando Rodriguez, Jr.
United States District Judge